

**ORIGINAL**

Title 4 § 1 Positive Law  
Flag of the Republic.

FILED LODGED ENTERED RECEIVED

OCT 09 2012 JS

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

**:Fred-Francis: of the Nomen Clan  
Frink a Private Citizen of  
the union State Pennsylvania by  
Nativity Name, Claim and Right a  
American National Under Almighty God  
and a Sovereign under the common law  
of the Commonwealth of Pennsylvania.  
Po Box 98 Bellevue Washington  
USPO Exempt [CF98009CF].  
425-558-4838.  
Forced Appearance by threat, duress,  
cohesion, by agents of a foreign principal.  
Not Pro Se, Sur Juris**



12-CR-00262-CLM

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Foreign Corporation not a real party  
interest.

Plaintiff in Error.

vs.

FRED F. FRINK  
a, pseudonym name and foreign citizenship.

Defendant in Error.

*Jed*  
Admiralty NO. CR12-0026RSL

Notice of Termination  
of Federal Public Defender Nancy Tenney  
by Declaration.

Supported by Mandatory  
Judicial Notice of  
Diversity of Citizenship.

Exhibit A attached 9 pages total.

Certificate of Service

**Notice of Termination of Federal Public Defender Nancy Tenney by Declaration.**

- 1) **Comes Now** by forced "restricted appearance" kidnapped held hostage and forced to sign adhesion documents, such as appearance bond, probation agreements, monthly

supervision report and US Marshals custody release book, irredeemable commercial slave paper, all under threat, duress, cohesion, to defend life and liberty enter and cross the bar of this admiralty military court article I tribunal section 8 jurisdiction under Admiralty Supplemental Rule E (8) and hereby terminate counsel Federal Public Defender Nancy Tenney whom is incapable to represent my common law Diversity of Citizenship issues before this Article I Section 8 Tribunal court nor is she competent to represent me timely with pre trial motions, upon information and believe, she was assigned to sabotage and only to plea bargain said case and assist district attorneys Jenny A. Durkan and Andrew C. Friedman, and Thomas M. Woods of this military court in the conviction of the defendant in error for monetary gain though irredeemable commercial slave chattel paper this court operates under the Miller Act bonds sf 273, 274, 275 and others herein, has in fact make a profit and gain in support of the US Bankruptcy, for the conviction of the defendant in error as surety.

- 2) I :Fred-Francis declare, Federal Public Defender Nancy Tenney was assigned to this case on or about September 10<sup>th</sup> 2012, Federal Public Defender Nancy Tenney, should have placed a request for discovery on September 10<sup>th</sup> 2012 in open court, the date to have any pre-trial motions the dead line was September 28, 2012, she failed to file any extensions of time or complain to the court for the prosecutions delay of discovery, counsel received discovery on September 26<sup>th</sup> 2012, Federal Public Defender Nancy Tenney verbally promised a disk to defendant in error, in which she did not give, instead sent hard copy's, Defendant in error by mail and Defendant in error suspects when someone dose not do as they say they are withholding information, and I demand a full

copy of said disk, per letter Exhibit A attached and defendant in error did not receive a copy for his review until October 02, 2012, during the time from September 28, 2012 until October 5<sup>th</sup> Defendant in error was participating in doctors care and under went surgery and medical issues.

- 3) I :Fred-Francis declare, there is about 398 pages of discovery received by counsel, from September 26<sup>th</sup> 2012, to September 28, 2012, 48 hours to review discovery and file pre trial motions is an impossibility, All pre-trial motions must be filed by and noted on the motion calendar for the second Friday after the motion is filed per CrR 12 (c) (7) September 28, 2012.
- 4) I :Fred-Francis declare, that I am reviewing discovery myself since I received it October 02, 2012 and surgery as of October 03, 2012 have been under doctors care and medicated since September 28, 2012, and discovered these violations and misconduct, and misrepresentation recently, and have not had a opportunity to respond and now I am recuperating and now coherent I find Federal Public Defender Nancy Tenney dose not have my best interest at hand and I should have the right for a continuance due to these oversights alone.
- 5) I :Fred-Francis declare, Federal Public Defender Nancy Tenney response to defendant in error was to waive my right to a speedy and public trail pursuant to the Sixth Amendment to the Constitution of the United States (sic) and the Speedy Trial Act (sic) a statutory Act for statutory citizens and a constitution that I'm not a federal citizen thereof, nor do I have a duty of allegiance with United States. NO CONTRACT.
- 6) I :Fred-Francis declare, Federal Public Defender Nancy Tenney has knowledge of the

law and a professional and should have file a notice of delay of discovery, but instead tried to get the defendant in error to sign a document call waiver of right to a speedy and public trial that would draw myself into the statutory law jurisdiction and confess that I am the defendant, this is constructive fraud and official misconduct, and misrepresentation of my nativity name, and nativity rights and diversity of Citizenship as a American National I am not the defendant.

- 7) I :Fred-Francis declare, after a good faith Investigation of all or about 30 cases of 2012 cases of Federal Public Defender Nancy Tenney she stated that her goal was to get all charges dismissed, per her documented record for 2012 she has not had one case dismissed she keeps changing her goals and since 2004 has about 594 federal cases since 2004 to 2012, 98 % are plea bargains of guilty, she dose not have my best interest at hand and can not lawfully represent me in the common law, or has jurisdiction to represent me as a sovereign. Her federal court record shows that she cooperates not in the interest of justice but to make sure the court makes money and keeps the convictions flowing.
- 8) I :Fred-Francis declare, when represented by a agent of a foreign principle you have no rights and you become a ward of the court and declared incompetent to handle your affairs.
- 9) I :Fred-Francis declare I'm Not a infant, Nor am I a lunatic, or incompetent, I am Not representing myself as Pro Se, or as any form of attorney, I am Sur Juris under the common law by right under Original Estate-Article III; Constitution Pursuant to the First Judiciary Act of September 24, 1789, Chapter 20, page 77 I have a right under the

common law and claim as a common law Sovereign American National.

10)I :Fred-Francis declare, furthermore, When a client employs an attorney, he has a right to presume, if the latter be silent on the point, that he has no engagements, which interfere, in any degree, with his exclusive devotion to the cause confided to him; that he has no interest, which may betray his judgment, or endanger his fidelity." Williams v. Reed, 29 F. Cas. 1386, 1390 (No. 17,733) (CC Me. 1824).

11)I :Fred-Francis declare, CJS 7, p 801-802: "Thus an attorney occupies a dual position which imposes dual obligations. His first duty is to the courts and the Federal public, not to the client, and whenever the duties to his client conflict with those he owes as an officer of the court in the administration of justice, the former must yield to the latter." (emphasis added).

12)I :Fred-Francis declare, Judge Alger Fee stated it very clearly in the case of US v Johnson, 76 Fed. Supp. 538, that your Rights are "neither accorded to the passive resistant, nor to the person indifferent thereto." Furthermore Judge Fee stated that your Rights "cannot be claimed by attorney or solicitor" and are only valid "when insisted upon by a BELLIGERENT claimant in person." His final warning was clear that "one who is persuaded by honeyed words or moral suasion to testify or produce documents... simply loses the protection" of your Rights!

13)I :Fred-Francis declare I was never given the nature and cause of the action by Federal Public Defender Nancy Tenney or any District attorney's Jenny A. Durkan and Andrew C. Friedman, and Thomas M. Woods of the military nature of this court, by what statutory authority does this court purport to have authority to conduct a general or

special courts martial over me, there is no such thing as a right to be represented except in a general or special courts martial or at an investigation which can only happen in a military court or military tribunal

14) Note: "RCW 1.16.090 Legislative declaration for civil liberties day of remembrance.

The legislature recognizes that on February 19, 1942, the President of the United States issued Executive Order 9066 which authorized military rule over civilian law and lives."


15) I :Fred-Francis declare 10 U.S.C. 838 (a)(1): § 838. Art. 38. Duties of trial counsel and defense counsel (a)The trial counsel of a general or special court-martial shall prosecute in the name of the United States, and shall, under the direction of the court, prepare the record of the proceedings. (b) (1)THE ACCUSED HAS THE RIGHT TO BE REPRESENTED in his defense before A GENERAL OR SPECIAL COURT-MARTIAL or at an investigation under section 832 of this title (article 32) as provided in this subsection. "

16) I :Fred-Francis declare with this information and good faith investigation hereby give the order of termination of Federal Public Defender Nancy Tenney and her office due to the lack of protection of my rights and failure to disclose the nature cause of this action and conflicts of interest, this is constructive fraud and official misconduct, and misrepresentation of my rights and interest you are to file your removal and withdraw form Admiralty NO. CR12-0026RSL immediately upon receipt this notice of termination.

17) I :Fred-Francis by declaration Sayeth Naught.

**NOTARY PUBLIC JURAT**

BEFORE ME, a Notary Federal public, in and for said State of Washington, the above named natural person did appear and is personally known by me, and who, upon first being duly sworn and/or affirmed, deposes and says that the foregoing asseveration is true to the best of their knowledge and belief. affirmed before me and signed in my presence this day of October 8th 2012.

WITNESS my hand and official seal.  
/s/   
Notary Federal public

JILL E. LANE  
Notary Public  
State of Washington  
My Commission Expires  
October 20, 2015

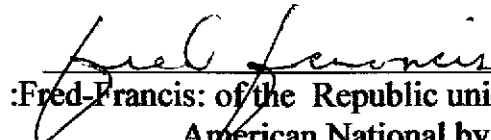
SEAL


My Commission Expires On: 10/20/15

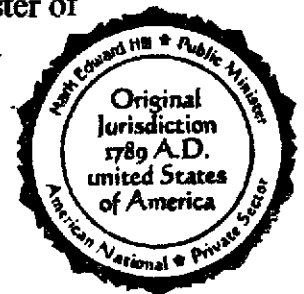
The use of a Notary Witness for attestation purposes does not convey jurisdiction to any foreign fictional entity, or change my character or standing in Law.

**DECLARATION UNDER PENALTY OF PERJURY**

We, declare under the penalties of perjury that all in this Notice of Termination of Federal Public Defender Nancy Tenney by Declaration. is true correct and complete in the foregoing to the best of my knowledge and belief with good faith investigation.

 (Lawful seal)  
:Fred Francis: of the Republic union state of Pennsylvania  
American National by Nativity Right.

 (Lawful seal)  
:Mark-Edward:, of the Republic Union State of Illinois  
American National by Nativity Right. Minister of  
Justice 1789 Judiciary Act private sector.  
(Witness)





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Frink a Private Citizen of  
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Nativity Name, Claim and Right a  
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Certificate of Service

1601 Fifth Ave., Suite 700 Seattle,  
Washington 98101. (206) 553-1100.

Jenny A. Durkan and Andrew C. Friedman,  
Thomas Woods Assistant United States  
Attorney 700 Stewart Street, Suite 5220  
Seattle WA 98101

CERTIFICATE OF SERVICE

I, HEREBY CERTIFY that a true and correct, complete of the foregoing, was duly served by hand by  
:Fred-Francis: To; Deputy clerk of the UNITED STATES DISTRICT COURT WESTERN DISTRICT  
OF WASHINGTON AT SEATTLE and party's listed above by US MAIL.

DATED: Redmond, Washington 10/09/2012  (Lawful seal)  
:Fred-Francis: of the Republic union state of Pennsylvania  
American National Nativity Right.



**FEDERAL PUBLIC DEFENDER**  
Western District of Washington

September 26, 2012

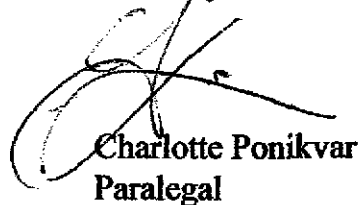
Fred Frink  
16030 NE 51<sup>st</sup> Street  
Redmond, WA 98052

Re: *United States v. Fred Frink*, CR12-00262RSL;

Dear Mr. Frink:

Please find enclosed selected documents from the discovery provided by the government. They include a time line, interviews and memos from the Department of Treasury Criminal Investigation and the Grand Jury presentation documents.

Sincerely,



Charlotte Ponikvar  
Paralegal

/cgp

Enclosures

**EVIDENCE**

EXHIBIT A